

United States District Court
Northern District of West Virginia

FILED

OCT 07 2014

U.S. DISTRICT COURT-WVN
WHEELING, WV 26003

David Lee Kidd, II
Petitioner,

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:
: Criminal Action No. 5:11cr17
: Civil Action No. 5:14cv122
:
:

v.

United States of America
Respondent,

:
:
:
:
:

Motion For Leave to File Excess Pages

NOW COMES, before this Honorable Court David Lee Kidd, II hereinafter "Kidd", pro se, with a **Motion For Leave to File Excess Pages**. For the following reasons, Kidd will show that there is a need for excess pages due to the complicated nature of the claims for relief which Kidd has set forth in his previously filed Motion to Vacate, Set Aside, or Correct a Sentence by a Person in Federal Custody Pursuant to Title 28 U.S.C. §2255. As such, Kidd humbly requests that this Honorable Court, use any and all discretion within its power to allow Kidd an opportunity to present his claims for relief as compleatly as possible.

Kidd avers the following:

1.) Kidd is a legal novice and is filing this Motion as a pro se litigant.

2.) Kidd is presently at F.C.I. Fort Dix serving his term of incarceration.

3.) F.C.I. Fort Dix uses a modified version of Lexis Nexis in its Law Library.

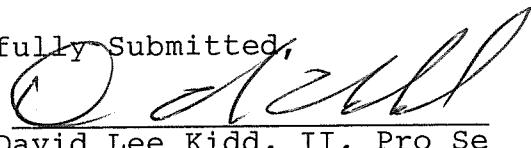
4.) This version of Lexis

Nexis does not carry all the procedural rules for each Court. As such, Kidd was unaware of the necessity to request leave to file and excess of pages

As stated previously Kidd was unaware that a request for Leave to Exceed The Page Limit was required at the time of his filing and was in no way trying to undermine the Government or this Honorable Court by filing his Memorandum of Law without permission. Kidd apologizes for this oversight and humbly requests that this Honorable Court allow him the permission to file exceed the page limit and properly file the aforementioned Memorandum of Law so that these proceedings can continue in a timely fashion. Additionally, Kidd is aware that this Honorable Court is in no way obligated to grant said request, as Kidd is aware he is not entitled to this request, but hopes that due to the complicated nature of the relief requested, this Honorable Court will allow Kidd to proceed and grant this Motion and unseal Document 703 or inform Kidd that he is required to refile the previously mentioned Memorandum.

Wherefore, the reasons contained within, David Lee Kidd, II, humbly requests that this Honorable Court grant this Motion for Leave to File Excess Pages unseal Document 703 and re-establish a Briefing Schedule so that these proceedings may continue in a timely fashion.

Respectfully Submitted,



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David Lee Kidd, II, Pro Se

Certificate of Service

I, David Lee Kidd, II, do here by certify that I have I have sent a true and correct copy of the foregoing **Motion For Leave to File Excess Pages**, in compliance with Title 28 U.S.C. §1746, by placing said copies in a first class pre-paid envelope and utilizing the "Prison Legal Mail" system as provided by F.C.I. Fort Dix on this 1st day of October in the year 2014, to the following people:

John C. Parr, AUSA
United States Attorneys Office
1125 Chapline Street, Suite 3000
Wheeling, WV 26003

Office of the Clerk
United States District Court
1125 Chapline Street, Suite 208
Wheeling, WV 26003

Executed on 01 Oct 14 by



David Lee Kidd, II Pro Se